

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
MARCO PEREZ,)	
Petitioner,)	
)	
v.)	CIVIL ACTION
)	No. 20-10930-MPK
M. LICON-VITALE, Warden,)	
Respondent.)	
_____)	

ORDER

KELLEY, U.S.M.J.

July 30, 2020

On October 17, 2019, Marco Perez (“Perez”) initiated this action in the United States District Court for the District of Connecticut while in custody at FCI Danbury. At that time, he paid the \$5.00 filing fee and filed a *pro se* petition (#1) for a writ of habeas corpus under 28 U.S.C. § 2241. By Order (#19) dated May 4, 2020, Judge Vanessa Bryant transferred the case to this district because Perez has been in custody at FMC Devens since February 12, 2020. This action was assigned (#21) pursuant to the Court's Program for Random Assignment of Civil Cases to Magistrate Judges.

On July 27, 2020, Perez filed a letter (#23) seeking the status of the case and requesting appointment of counsel. Under the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006A, the Court may appoint counsel for a “financially eligible” habeas petitioner if “the interests of justice so require.” 18 U.S.C. § 3006A(a)(2).

ACCORDINGLY:

1. The Court requests that the parties notify the Court whether they consent to the assignment of this case to the undersigned magistrate judge. The Clerk shall provide

Petitioner Perez and AUSA Kanwit with the form for Consent/Refusal of Magistrate Judge Jurisdiction and the instructions for that form. While consent to the assignment of the case to the magistrate judge is entirely voluntary, and no adverse substantive consequences of any kind will redound to an attorney or party refusing consent, each party must submit the form indicating their consent or refusal to consent within twenty-eight days of the date of this Order.

2. If Perez seeks appointment of counsel, he is directed to file a motion for appointment of counsel, a motion for leave to proceed *in forma pauperis* and a copy of his prison account statement within twenty-eight days of the date of this Order. The Clerk shall provide Perez with a blank form Application to Proceed in District Court Without Prepaying Fees or Costs.

/s/ M. Page Kelley

July 30, 2020

M. Page Kelley
United States Magistrate Judge